



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/240,893	01/29/1999	G. ALEX TERRY	ITC:9905	7923

7590

08/03/2004

Michael J. Thomas
Senniger, Powers, Leavitt & Roedel
One Metropolitan Square, 16th Floor
St. Louis, MO 63102

EXAMINER

NGUYEN, DUC MINH

ART UNIT	PAPER NUMBER
----------	--------------

2643

DATE MAILED: 08/03/2004

34

Please find below and/or attached an Office communication concerning this application or proceeding.

SP

Office Action Summary

Application No.

09/240,893

Applicant(s)

TERRY, ALEX

Examiner

Duc Nguyen

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 66-72 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 66-72 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 66, 68-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cameron et al (6,317,490) in view of Marchbanks et al (6,266,401) and Ensel et al (6,493,685).

Consider claim 66, 68-69. Cameron teaches a method for providing a user access over a data network (col. 2, ln. 29-38) to select billing records associated with an account of the user (col. 3, ln. 5-17), comprising storing billing records associated with the user's account in a database (col. 2, ln. 29-38, fig. 1, BIDR 200; col. 3, ln. 18 to col. 4, ln. 3), including new billing records for which an invoice has not yet been issued to the user (real-time telephone billing information; col. 1, ln. 18-50); inherently receiving a query containing one or more parameters from the user over the data network, the query seeking which of the billing records associated with the user's account satisfy the one or more parameters of the query (col. 3, ln. 5 to col. 4, ln. 3); inherently searching the data base for individual billing records associated with the user's account which satisfy the one or more parameters of the query received from the user (col. 3, ln. 5 to col. 4, ln. 3); and displaying results of the searching to the user over the data network, including displaying the individual billing records associated with the user's account which satisfy the one or more parameters of the query received from the user (the use of data access device 16; col. 3, ln. 5 to col. 4, ln. 3). Cameron further teaches the new billing records, for

Art Unit: 2643

which an invoice has not yet been issued to the user, include individual transaction charges incurred within a billing period (call table 206 and call data field 218 containing information of the date a call was made and billing rate, etc; col. 3, ln. 36-45; fig. 2).

Cameron does not clearly teach the new billing records include individual transaction charges from a plurality of entities.

Marchbanks teaches an electronic bill processing comprises processing new billing records, the new billing records include individual transaction charges (see fig. 16A-F; col. 9, ln. 7-16) from a plurality of entities (voice and data communications and third-party communications services; see abstract; fig. 16A-F).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Marchbanks into the teachings of Cameron in order to provide a system that enables easy, real time consolidation, monitoring and control of an entity's telecommunications transactions.

Ensel teaches delivery options that include email, fax, voicemail and the graphical interface (col. 10, ln. 21-49; col. 14, ln. 30-54). Ensel further teaches the use of the Internet or packet switched network (col. 9, ln. 4-20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Ensel into the teachings of Cameron in view of Marchbanks in order to provide attractive financial opportunities for billers; maximizes consumer reach; guarantee privacy and security; facilitated rapid functional evolution; and avoids disruptions to a biller's systems and operations environment.

Consider claims 70-71. Ensel's col. 10, ln. 21-49 reads on the limitations of these claims.

Art Unit: 2643

Consider claim 72. Ensel's col. 10, ln. 21-49 reads on the limitations of this claim.

3. Claim 67 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cameron et al (6,317,490) in view of Marchbanks et al (6,266,401) and Ensel et al (6,493,685) as applied to claim 66 above, and further in view of Flood (5,864,613).

Consider claim 67. Cameron in view of Marchbanks and Ensel does not clearly teach disabling the telecommunication device when a user-specified criteria relating to the billing records is satisfied.

Flood further teaches disabling the telecommunication device when a user-specified criteria relating to the billing records is satisfied (col. 1, ln. 55 to col. 2, ln. 8; col. 4, ln. 42-50; col. 5, ln. 32 to col. 6, ln. 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Flood into the teachings of Cameron in view of Marchbanks and Ensel in order to effectively control the cost of telephone usage.

Response to Arguments

4. Applicant's arguments with respect to claims 66-72 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Art Unit: 2643

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is 703-308-7527. The examiner can normally be reached on 6:00AM-2:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2643

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Duc Nguyen
Primary Examiner
Art Unit 2643

7/22/04